

AO 91 (Rev. 11/11) Criminal Complaint

SLZ 7/25/19

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

SealedPublic and unofficial staff access
to this instrument are
prohibited by court order.

United States of America

v.

Bradley Britton

Case No.

H19-1369M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 26, 2018-May 24, 2019 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 2252A (a)(2)(B)

18 U.S.C. § 2252A (a)(5)(B)

Any person who knowingly receives or distributes any material that contains child pornography that has been mailed, or using any mean or facility of interstate or foreign commerce shipped or transported in or affecting interstate or foreign commerce by any means, including by computer. Any person who knowingly possesses any material that contains an image of child pornography that has been mailed or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer.

This criminal complaint is based on these facts:

See attached Affidavit.

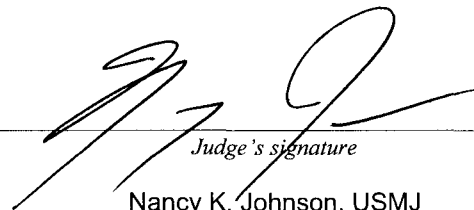
☒ Continued on the attached sheet.

Complainant's signature

Robert J. Guerra, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 7-25-19City and state: Houston, Texas

Judge's signature

Nancy K. Johnson, USMJ

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Robert J. Guerra, being duly sworn, hereby depose and state the following:

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), assigned to the Special Agent in Charge (SAC), in Houston, Texas. I have been so employed since November 2005. As part of my daily duties as an FBI agent, I am assigned to the FBI Houston Child Exploitation Task Force which, among other things, investigates criminal violations relating to child exploitation and child pornography, including violations pertaining to the illegal production, distribution, receipt and possession of child pornography, in violation of 18 U.S.C. §§ 2251, 2252A and 2252A et seq. I have received training in the areas of child pornography and child exploitation. I have had the opportunity to observe and review numerous examples of child pornography in all forms of media including computer media. Child Pornography, as defined in 18 U.S.C. § 2256, is:

“any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where – (A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; . . . [or] (C) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct.” For conduct occurring after April 30, 2003, the definition also includes “(B) such visual depiction is a digital image, computer image, or computer-generated image that is, or is indistinguishable from that of a minor engaging in sexually explicit conduct.”

2. This Affidavit is made in support of a criminal complaint charging Bradley BRITTON with violating 18 U.S.C. § 2252A(a)(2) & (a)(5)(B) (receipt and possession of child pornography).
3. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me concerning this investigation, I have set forth only those facts that I believe are necessary to establish probable cause that evidence of violation of 18 U.S.C. § 2252A(a)(2) & (a)(5)(B) (receipt and possession of child pornography) occurred between the dates of December 26, 2018, and on or about May 24, 2019, have been committed by Bradley BRITTON. Where

statements of others are set forth in this Affidavit, they are set forth in substance and in part.

4. Kik is an instant messaging application for mobile devices. The app is available on most iOS, Android, and Windows Phone operating systems free of charge. Kik uses a smartphone's data plan or Wi-Fi to transmit and receive messages. Kik also allows users to share photos, sketches, mobile webpages, and other content. Prior to use, Kik Messenger requires users to register an account with a username and password.
5. During the summer of 2017, FBI Denver Innocent Images Task Force (IITF) obtained consent to takeover a KiK account belonging to an individual who was utilizing the application to trade child pornography material. Upon accessing said KiK account, members of the IITF observed multiple KiK groups viewing, discussing and distributing child pornography material. One of those KiK groups titled, "Little post on entry" contained approximately 50 members. Based on the video capture taken by the IITF, the KiK group was solely being used for the purposes of trading and discussing child exploitation material.
6. Between February 21, 2018, and March 4, 2018, members of the IITF witnessed members of the group, "Little post on entry" exchange approximately 22 images and 22 videos depicting child pornography. Your affiant has reviewed the material shared within the KiK group and determined several of the files depict child pornography as defined by Title 18, United States Code, Section 2256. Below is a description of 3 files shared within the KiK group "Little post on entry" between February 21, 2018, and March 4, 2018:
 - a) **9e307638-484f-4117-bb55-e17cbbc767c9.mp4**- This is a video file that is 30 seconds in length depicting a minor female, who appears to be under the age of 14, being orally penetrated by an adult male's penis.
 - b) **fd9141b5-d0e7-4a40-aa-eabe75f2820b.mp4**- This is a video file that is 16 seconds in length depicting a minor female, who appears to be under the age of 12. An adult male can be seen ejaculating on the face of the minor female.
 - c) **1_5015072323280044044.mp4**- This is a video file that is 1 minute and 5 seconds in length depicting a minor female, who appears to be under the age of 10, being

orally penetrated by an adult male's penis.

7. One of the members affiliated with the KiK group "Little post on entry" used the user name "megaman3d" and was an active at the time the child pornography described above was sent within the KiK group. In consideration of the above information, FBI Denver served an administrative subpoena to KiK in pursuit of subscriber information associated with the Kik user account, "megaman3d". As a part of their response, KiK provided the following information for the KiK user "megaman3d":

First Name:	Mega
Last Name:	Man
Username:	megaman3d
Email:	<u>littlefrey@yahoo.com</u>
IP address:	50.26.55.215

8. It was determined that the IP address 50.26.55.215 resolved back to Suddenlink Communications. FBI Denver served an administrative subpoena to Suddenlink Communications in pursuit of subscriber information for the IP address 50.26.55.215. In response to the administrative subpoena, Suddenlink Communications provided the following information:

Name:	Bradley Britton
Address:	3400 S Lamar Street
City/State/Zip:	Amarillo, Texas 79109
Activation Date:	05/29/2014
Telephone:	806-440-4074

9. Prior to any law enforcement action by FBI Denver, the subscriber moved out of the residence listed above. It was determined that the subscriber relocated to Katy, Texas. Subsequently, all the above information was forwarded to FBI Houston.
10. On May17, 2019, your affiant received CyberTip 47586414 dated March 14, 2019, from the Houston Metro Internet Crimes Against Children Task Force. The CyberTip was reported by Tumblr regarding an individual posting four files suspected of depicting child pornography on the Tumblr website. As a part of the CyberTip, Tumblr provided the following information:

Email Address: littlistfrey@gmail.com
Screen/Username: coachofwomen25
Profile URL: coachofwomen25.tumblr.com

11. Tumblr also provided several IP addresses utilized by the above user, all of which resolved back to Comcast Communications. An administrative subpoena was served on Comcast Communications requesting subscriber information for multiple IP addresses provided by Tumblr. Included in the subpoena was an IP address utilized by said Tumblr user on January 13, 2019. On May 15, 2019, Comcast Communications responded to the administrative subpoena with the following information:

Subscriber Name: Bradley Britton
Service Address: 24727 Gemstone Cove CT
Katy, TX 77494
Telephone #: 806-440-4074
Start of Service: 07/14/2018
Account Status: Active
E-mail User Ids: britton.bradley@comcast.net

12. Tumblr confirmed that all files referenced in CyberTip Report 47586414 were viewed by a representative of Tumblr. Your affiant has reviewed the four files that were uploaded to Tumblr and determined that none of the files depict child pornography, but all of the files depict child erotica. Below is a description of all four files that were uploaded to Tumblr:

aa) 179498667600_0_inline_image.gif – This a live action picture depicting a minor female, who appears to be under the age of 12. The minor female can be seen sitting down, wearing what appear to be underwear, with her legs spread. The live action picture shows the minor female moving her hands over her vagina in view of the camera.

bb) 179498672640_0_inline_image.gif - This a live action picture depicting a minor female, who appears to be under the age of 14. The minor female can be seen kneeling down on her knees, wearing what appears to be a thong underwear, with her backside

in view of the camera. The live action picture shows the minor female moving her buttocks closer to the camera.

c) 183396116060_0_inline_image.jpg – This is an image file depicting a minor female, who appears to be under the age of 10, wearing a halter top and underwear while lying down on what appears to be a bed with her backside in view of the camera.

d) 183396116060_1_inline_image.jpg – This is an image file depicting a minor female, who appears to be under the age of 12, wearing a halter top and a thong underwear. The minor female is lying down on what appears to be a bed with her backside in view of the camera.

13. On May 24, 2019, FBI Houston executed a federal search warrant at the specific address provided by Comcast Communications. Upon the execution of said search warrant, Bradley BRITTON, hereinafter referred to as “BRITTON”, was identified and subsequently interviewed by your Affiant and SA Ryan J. Shultz. After being advised of his *Miranda Rights*, BRITTON agreed to make a statement.
14. BRITTON admitted to using the KiK application as well as the website Tumblr. BRITTON stated he had not used KiK for approximately one year. BRITTON confirmed that he was the user of the KiK account “Megaman3d”. BRITTON stated it was within reason that he had posted child pornography to the KiK group he was a part of in order to remain a member of the group.
15. BRITTON stated he was unsure if any child pornography would be found on his devices. BRITTON stated he had been viewing child pornography randomly for the past few years. BRITTON stated he had been able to stop looking at child pornography for a while, but then he would begin to look at it again. BRITTON stated he knew child pornography was illegal. BRITTON admitted to masturbating while viewing child pornography. BRITTON admitted to viewing child pornography while residing at his residence located in Katy, Texas, which is located in the Southern District of Texas.
16. The devices seized from BRITTON’s residence pursuant to the execution of the search warrant conducted on May 24, 2019, were submitted to Greater Houston Regional Forensic Laboratory for analysis. During your affiant’s preliminary review, your affiant identified over 300 images and approximately 3 video files depicting child pornography on said the

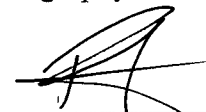
cellular phone belonging to BRITTON. Below is a description of two files found during the review conducted by your Affiant, who believes based on his training and experience, that the files listed below are child pornography as defined in Title 18, United States Code, Section 2256:

aaa) k9zpwARlaBNdi.jpg – This is a contact sheet containing 12 separate image files depicting the same minor female, who appears to be under the age of 12. In 4 of the images, the minor female has her legs and arms bound by duct tape and is being vaginally penetrated by a dildo. The remaining images depict the minor female engaged in poses where her genitals are exposed in a lewd and lascivious manner.

bbb) IMG_5696.MP4 – This is a video file that is 47 seconds in length depicting a minor female, who appears to be under the age of 14, inserting a lollipop into her vagina.

CONCLUSION

17. Based on all information set forth above, your Affiant believes there is probable cause to believe that between the dates of December 26, 2018, and on or about May 24, 2019, Bradley BRITTON, was in violation of Title 18 U.S.C. § 2252A (a)(2) and 2252A (a)(5)(B)- the receipt and possession of child pornography.



Robert J. Guerra
Special Agent, FBI

Subscribed and sworn before me this 25th day of July 2019, and I find probable cause.


Nancy K. Johnson
United States Magistrate Judge